

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01359-WJM-KLM

LARRY ELEVThERIOS JOHNSON,

Plaintiff,

v.

MYELIN PRODUCTIONS,
AXUM21st GROUP GLOBAL,
RICHARD VAZ,
SUMMER BROOKE,
ELIZABETH ARTEMIS,
MELANIE DAVIES,
KAMILA DAVIES,
FRANCES VAZ,
SABRINA VAZ,
KIMBERLEE PRATT,
NICOLE STANIC,
ROMANEE STANIC,
KRISTA COX,
KAITLYN NOLAN, and
CHELSEA HUMPHREYS,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Plaintiff's Motion to Amend his First Amended Complaint to Include RICO Violations Pursuant to U.S.C. 1961 [sic] and to Add the Following Defendants: Denver Red Lion Hotel Southeast, Kelly Barrett, Sage Porter** [Docket No. 45; Filed October 17, 2012] (the "Motion to Amend") and **Plaintiff's Motion to Consolidate State Claims of Civil Theft, et al, in Boulder District Court With Its [sic] Fedal [sic] Claims of Copyright Infringement and Racketeering** [Docket No. 44; Filed October 17, 2012] (the "Motion to Consolidate").

IT IS HEREBY **ORDERED** that the Motion to Amend [#45] is **DENIED without prejudice**. If Plaintiff, who proceeds in this matter *pro se*, is seeking leave to file a Second

Amended Complaint, he must file a motion which complies with the federal and local rules, namely, Fed. R. Civ. P. 15, and which includes the proposed Second Amended Complaint as a document separate from the motion. The Court will not permit piecemeal adjudication of Plaintiff's case, thus Plaintiff must include all claims he seeks to bring and defendants he intends to name in the proposed Second Amended Complaint.

IT IS FURTHER **ORDERED** that the Motion to Consolidate [#44] is **DENIED**. Plaintiff seeks to consolidate this action with a state court case filed in the District Court for Boulder County, Colorado. *Motion to Consolidate* [#44] at 2. Fed. R. Civ. P. 42 permits consolidation of actions pending before the same court or before two different federal courts within the same federal judicial district. *Investors Research Co. v. U.S. Dist. Ct. for the Cent. Dist. of Cal.*, 877 F.2d 777 (9th Cir. 1989). It does not permit consolidation of a state court case with a federal case.

Dated: April 18, 2013